

# Chelan Watershed, WRIA 47

This focus sheet provides information on the availability of water for new uses in the Chelan Watershed. This information provides a starting point for potential water users in determining the best strategies for securing water for a future project or proposal in this area.

Many areas of central Washington are arid, receiving less than 20 inches of rain annually. Most of this precipitation arrives during the winter months when water demands are the lowest. During the summer, the snowpack is gone, there is little rain, and naturally low stream flows are dependent on groundwater inflow. At the same time, the demand for water for human uses, including irrigation, are at the yearly maximum. This means that groundwater and surface water are least available when water demands are the highest.

## Factors affecting water availability

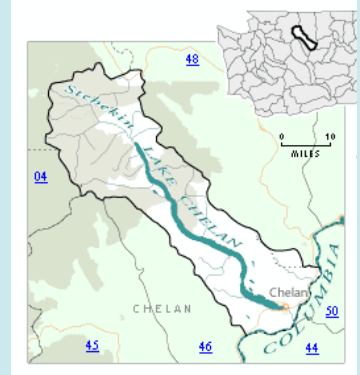
Above the Chelan River Dam at the outlet of Lake Chelan, all but 20,000 acre-feet of nearly 1 million acre-feet of annual runoff has already been appropriated by existing water rights. In the smaller streams and rivers that abut private lands that feed into Lake Chelan, water is typically unavailable for new uses during the summer months.

In 2004, the U.S. Bureau of Reclamation filed notice with the Department of Ecology that the United States intends to make examinations and surveys for the utilization of the unappropriated waters of the Columbia River and its tributaries above Priest Rapids Dam. All new applications for surface water and groundwater connected to surface water within WRIAs 45, 46, and 47 are limited not to exceed 21,140 ac-ft.

## Water availability based on local limitations

Two major agreements describe water availability in the Chelan Watershed:

- In the first agreement dated August 25, 1925, the State Hydraulic Engineer (a predecessor to the Department of Ecology) granted to the Chelan Electric Company a water right permit for the “entire flow of Lake Chelan and the Chelan River.” However, that permit was subject to all existing water rights (later estimated to total 12,000 acre-fee/year (afy) and conditioned to be subordinate to an additional 33,000 afy.



## Definitions

**Adjudication** is a legal process conducted through a superior court to determine the extent and validity of existing water rights.

**WRIA:** Water Resources Inventory Area; also known as a watershed or river basin. For environmental administration and planning purposes, Washington is divided up into 62 major watersheds, or WRIAs. WRIAs were defined by Chapter 173-500 WAC in 1976.

This subordination has two conditions:

- The water may only be diverted above the Chelan Electric Company dam (T27N, R22E – Section 13) located at the outlet of Lake Chelan.
- The water may be used in the Lake Chelan Watershed only.
- A follow-up agreement dated April 29, 1992 between the Public Utility District No. 1 of Chelan County (a successor to the Chelan Electric Company) and the Department of Ecology increased the volume of water from 45,000 afy to 65,000 afy.

At the time of the 1992 agreement, the original 45,000 afy was fully used.

Three adjudications have also taken place in the basin and include Safety Harbor Creek, Antoine Creek, and Joe Creek. Prior adjudications in an area are an indication that most, if not all, of the available water has already been allocated.

### **Limitations within WRIA 47 based on Columbia River Water Availability**

In 2004, the U.S. Bureau of Reclamation filed notice with the Department of Ecology that the United States intends to make examinations and surveys for the utilization of the unappropriated waters of the Columbia River and its tributaries above Priest Rapids Dam, pursuant to Section 90.40.030 of the Revised Code of Washington. The withdrawal of these waters from future appropriations is currently in effect until December 23, 2014.

Ecology cannot process any applications for a new water right for surface water or connected groundwater filed after December 28, 2004 until the applicant obtains a release from the BOR, or the withdrawal has expired.

The Columbia River Instream Resources Protection Rule, WAC 173-563-020, requires a consultation process for any new surface water application (or groundwater application that would have significant and direct impacts on the Columbia River). The purpose of the consultation process is to inform Ecology whether “the use of such waters will be, if deemed necessary, subjected to instream flow protection or mitigation conditions determined on a case-by-case basis through the evaluation conducted with the agencies and tribes.” The OCR projects described above are using this consultation process to develop mitigation projects that allow Ecology to issue new water right permits. New applications in the consultation process not covered by OCR mitigation would likely require independent mitigation to address fishery impacts.

Applications for surface water withdrawals from the mainstem Columbia River with WRIA 47 are subject to the Instream Resource Protection Program for the Columbia River, as well as proposed groundwater withdrawals determined to have a significant and direct impact on the Columbia River. (See <http://apps.leg.wa.gov/WAC/default.aspx?cite=173-563> for more information.)

The Office of Columbia River (OCR) is aggressively pursuing water supply development opportunities throughout the Columbia Basin. You may find further information on these efforts on the OCR Web page at [www.ecy.wa.gov/programs/wr/cwp/crwmp.html](http://www.ecy.wa.gov/programs/wr/cwp/crwmp.html). Some projects are being studied in WRIA 47 that could make water available in the future. Additionally, OCR has developed supplies on the Columbia River mainstem that may satisfy surface water and adjacent groundwater applications in WRIA 47 (e.g. Lake Roosevelt Incremental Storage Release Project).

## **Water supply available for new uses**

Potential options for finding a water supply include:

- Connecting to an established water supplier. This is the fastest and simplest option.
- Processing a change application through the Chelan County Water Conservancy Board.
- Processing an application through the Cost Reimbursement Program. Refer to [www.ecy.wa.gov/pubs/0511016.pdf](http://www.ecy.wa.gov/pubs/0511016.pdf). The applicant will likely need to develop a mitigation strategy to offset any impacts their water use will have on surface waters.

For more information on these and other options, refer to “Alternatives for Water Right Application Processing” [www.ecy.wa.gov/pubs/1111067.pdf](http://www.ecy.wa.gov/pubs/1111067.pdf).

The groundwater permit exemption allows certain users of small quantities of ground water (most commonly, single residential well owners) to construct wells and develop their water supplies without obtaining a water right permit from Ecology. However, water rights developed through the permit exemption are not exempt from the water right seniority system and could be regulated during future drought periods. For more information about the groundwater permit exemption, refer to [www.ecy.wa.gov/pubs/fwr92104.pdf](http://www.ecy.wa.gov/pubs/fwr92104.pdf).

## **Pending water right applications in this watershed**

Washington water law is based on the “prior appropriation” system, often called “first in time, first in right.” Applications for water from the same source must be processed in the order they are received.

Ecology asks anyone who needs a water right (new, change, or transfer) to submit the pre-application consultation form and meet with us to review your water supply needs and project proposal.

- Apply for a New Water Right  
<http://www.ecy.wa.gov/programs/wr/rights/newrights.html>
- Apply to Change or Transfer a Water Right or Claim  
[http://www.ecy.wa.gov/programs/wr/rights/change\\_transfer\\_use.html](http://www.ecy.wa.gov/programs/wr/rights/change_transfer_use.html)

The map in this document shows some of the factors that will be considered when evaluating water right permit applications. Here are some information sources to assist you with your research:

- Locate and research water rights on land parcels anywhere in the state (Water Resource Explorer)  
<http://www.ecy.wa.gov/programs/wr/info/webmap.html>
- Pending Water Right Applications by County  
<http://www.ecy.wa.gov/programs/wr/rights/tracking-apps.html>
- Subscribe to a water right application RSS feed for a county or WRIA  
[http://www.ecy.wa.gov/programs/wr/rights/wr\\_app\\_rss.html](http://www.ecy.wa.gov/programs/wr/rights/wr_app_rss.html)
- WRIA map showing the total number of water right claims, certificates, permits and applications  
<http://www.ecy.wa.gov/programs/wr/rights/Images/pdf/waterright-wria-maps.pdf>
- Search and view well reports using a variety of search tools  
<https://fortress.wa.gov/ecy/waterresources/map/WCLSWebMap/default.aspx>

**Further Information**

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Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call 877-833-6341*



